

In re:
Frank Rocco Chimenti
Mara Liz Chimenti
Debtors

Case No. 23-12263-DS
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0973-2
Date Rcvd: Aug 31, 2023

User: admin
Form ID: van196

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 02, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Frank Rocco Chimenti, Mara Liz Chimenti, 32 River Rock Court, Azusa, CA 91702-6274
	+ Phillip Ford Sr, AmeriCredit Financial Service Inc, dba GM Financial, PO Box 183853, Arlington, TX 76096-3853

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 02, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 31, 2023 at the address(es) listed below:

Name	Email Address
Arvind Nath Rawal	on behalf of Creditor Ally Bank c/o AIS Portfolio Services, LLC arawal@aisinfo.com
Brad D Krasnoff (TR)	BDKTrustee@DanningGill.com bkrasnoff@ecf.axosfs.com;DanningGill@gmail.com
Mandy Youngblood	on behalf of Interested Party Courtesy NEF csbk@gmfinancial.com
Mandy Youngblood	on behalf of Creditor AmeriCredit Financial Services Inc. dba GM Financial csbk@gmfinancial.com
Michael A Cisneros	on behalf of Debtor Frank Rocco Chimenti mcisneros@mac.com

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Michael A Cisneros

on behalf of Joint Debtor Mara Liz Chimenti mcisneros@mac.com

United States Trustee (LA)

ustpreion16.la.ecf@usdoj.gov

TOTAL: 7

**United States Bankruptcy Court
Central District of California**

255 East Temple Street, Los Angeles, CA 90012

**ORDER AND NOTICE OF ENTRY OF ORDER
DENYING MOTION TO APPROVE REAFFIRMATION AGREEMENT**

DEBTOR(S) INFORMATION:

Frank Rocco Chimenti
aka Frank Chimenti, aka Frank R Chimenti
SSN: xxx-xx-8456
EIN: N/A
Mara Liz Chimenti
aka Mara Chimenti, aka Mara L Chimenti
SSN: xxx-xx-3913
32 River Rock Court
Azusa, CA 91702

BANKRUPTCY NO. 2:23-bk-12263-DS
CHAPTER 7

- (1) Debtor filed, as docket entry # 22 , a Motion for Approval of Reaffirmation Agreement ("Motion") concerning a debt owing to AmeriCredit Financial Services, Inc. dba GM Financial (*name of creditor*).
- (2) The Court provided notice of and held a hearing on whether it would grant the Motion.
- (3) Basis for denial of the Motion:
 - ☒ Debtor did not appear at the hearing.
 - ☐ Debtor voluntarily dismissed the Motion.
 - ☐ Approval of the Reaffirmation Agreement would impose an undue hardship on debtor or a dependent of debtor.
 - ☐ Approval of the Reaffirmation Agreement would not be in debtor's best interest.
 - ☐ A copy of the installment sale contract between the parties was not presented to the Court in support of the Reaffirmation Agreement, and therefore, this Court could not determine whether filing bankruptcy is an event of default under the contract. Accordingly, the creditor may not repossess the debtor's vehicle in reliance upon 11 U.S.C. § 521(d) without further order of this Court.
- (4) Based upon the foregoing, and pursuant to 11 U.S.C. § 524, **IT IS ORDERED** that the Motion is denied, reaffirmation of the debt is not approved, and the Reaffirmation Agreement is unenforceable.

Dated: August 31, 2023

FOR THE COURT,
Kathleen J. Campbell
Clerk of Court